

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration with respect to this application. Claims 3-11, 13-15, 20-21, 25, and 54-56 are pending. Claims 3-11, 13-15, and 25 have been amended. Claims 1, 2, 22, and 26 have been canceled herewith. No new matter has been entered into the application by this Response. Applicants request reconsideration of the Examiner's rejections. Applicants further thank the Examiner for his courtesies extended in telephonic interviews on April 19 and April 20, 2010. The amendments contained herein are intended to bring the application into condition for allowance.

The Examiner objected to claim 26 as not further limiting claim 25. Claim 26 has been canceled by this amendment.

#### ***Claim Rejections Under 35 U.S.C. § 112***

The Examiner rejected claims 1-11, 13-15, 20-22, 25-26, and 54-56 under 35 U.S.C. § 112, and second paragraph, asserting the claims are indefinite. Specifically, the Examiner asserts indefiniteness with respect to (a) the term 'variability' in claims 1 and 25, (b) the subject matter of claim 2, and (c) certain subject matter of claim 1. Applicants have canceled claims 1 and 2 herewith, thereby rendering moot the § 112 rejections thereto. With respect to the term 'variability' in independent claim 25, applicants have amended claim 25 to recite calculating a variability in effective reservoir property values generated from other cell samples. Applicants request the Examiner withdraw the rejection under Section 112, second paragraph.

In the Examiner interviews of April 19 and April 20, 2010, the Examiner raised, for the first time, additional questions regarding the clarity of the claims. In response, applicants have further amended claim 25 to clarify that the cells of the cell framework are populated with rock-type values that correspond to the selected net-to-gross value, and that the cells of the cell framework are populated with one or more reservoir property values to generate a reservoir cell model. Applicants have amended claim 25 further to clarify that the steps of populating, populating, extracting, performing, and extracting are repeated using the other net-to-gross value selected from the set of estimated net-to-gross values when a user-specified number of cell

samples has been sampled. These amendments comprise a good-faith effort to respond to topics discussed with the Examiner in the teleconference interviews held with the undersigned attorney on April 19 and April 20, 2010.

#### ***Allowable Subject Matter***

Applicants thank the Examiner for indicating that claim 25 is tentatively identified as novel and non-obvious over the prior art of record, and for supplying a statement of reasons for the indication of allowable subject matter. With the amendments to the claims as explained herein, Applicants believe claim 25 is allowable. Furthermore, applicants have amended the remaining pending claims to depend directly or indirectly from allowable claim 25. Therefore, all pending claims are allowable.

#### **CONCLUSION**

Applicants do not acquiesce to the Examiner's positions in the Office Action of December 28, 2009, but have responded herein to the Office Action to advance prosecution. The absence of an explicit response by Applicants to any of the Examiner's positions does not constitute a concession of the Examiner's positions. The fact that Applicants' comments have focused on particular arguments does not constitute a concession that there are not other arguments for patentability of the claims. All of the dependent claims are patentable for at least the reasons given with respect to the claims on which they depend.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require action, it is respectfully requested that the Examiner contact the undersigned via telephone at (713) 431-4569 so that such issues may be resolved as expeditiously as possible. For the reasons contained herein, this application should now be considered to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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